

01/15/02

JC698 U.S. PRO

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*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
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***SENIOR COUNSEL

January 15, 2002

WRITER'S DIRECT NUMBER:

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INTERNET ADDRESS:

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Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Re: U.S. Divisional Patent Application
(Divisional of Appl. No. 09/677,575; Filed: October 3, 2000)
(Appl. No. To be assigned); Filed: January 15, 2002
For: **Pyruvate Carboxylase from *Corynebacterium glutamicum***
Inventors: SINSKEY *et al.*
Our Ref: 1533.0790002/MAC/AGU

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. PTO Fee Transmittal (Form PTO/SB/17);
2. PTO Utility Patent Application Transmittal (Form PTO/SB/05);
3. U.S. Utility Patent Application entitled:

Pyruvate Carboxylase from *Corynebacterium glutamicum*

Commissioner for Patents
January 15, 2002
Page 2

and naming as inventors:

Anthony J. Sinskey,
Philip A. Lessard, and
Laura B. Willis

the application consisting of:

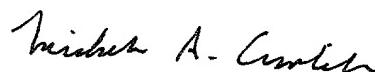
- a. A specification containing:
 - i. 34 pages of description prior to the claims;
 - ii. 3 pages of claims (17 claims);
 - iii. a one (1) page abstract;
- b. 3 sheet of drawings: (Figure 1A, 1B and 1C); and
- c. 19 pages of a paper copy of a sequence listing;
- d. A copy of the executed Declaration, as originally filed in U.S. Appl. No. 09/220,081 (2 pages);
4. Application Data Sheet;
5. Authorization to Treat a Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3)(*in duplicate*);
6. Preliminary Amendment and Submission of Sequence Listing;
7. A computer readable copy of the Sequence Listing;
8. Our check No. 33829 for \$740.00 to cover:
 \$740.00 Filing fee for patent application; and
9. Two (2) return postcards.

Commissioner for Patents
January 15, 2002
Page 3

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michele A. Cimbala
Attorney for Applicants
Registration No. 33,851

MAC/AGU/jk
Enclosures

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SKGF Rev. 8/1/00 mac

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.	1533.0790002/MAC/AGU
First Inventor	Anthony J. Sinskey
Title	Pyruvate Carboxylase from <i>Corynebacterium glutamicum</i>
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages 38]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table,
 or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets 3]

5. Oath or Declaration [Total Pages 2]

- a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63(d))
 (for continuation/divisional with Box 18 completed)
 i. **DELETION OF INVENTOR(S)**
 Signed statement attached deleting inventor(s)
 named in the prior application, see 37 CFR §§
 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76.

7. CD-ROM or CD-R in duplicate, large table or Computer Program
 (Appendix)
 8. Nucleotide and/or Amino Acid Sequence Submission
 (if applicable, all necessary)
 a. Request to Open New Disk File
 b. Specification Sequence Listing on:
 i. CD-ROM or CD-R (2 copies); or
 ii. paper
 c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
 10. 37 CFR 3.73(b) Statement Power of Attorney
 (when there is an assignee)
 11. English Translation Document (if applicable)
 12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
 13. Preliminary Amendment
 14. Return Receipt Postcard (MPEP 503)
 (Should be specifically itemized)
 15. Certified Copy of Priority Document(s)
 (if foreign priority is claimed)
 16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i) Applicant must attach form PTO/SB/35 or its equivalent.
 17. Other: Authorization under 37 C.F.R. § 1.136(a)(3)
 Other: The name of the assignee is: Archer-Daniels-Midland Company.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-Part (CIP)
 Prior application information: Examiner Monshipouri, M. of prior application No: 09/677,575
 Group/Art Unit: 1652

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS Customer Number or Bar Code Labelor Correspondence address below

Customer No. 26111

(Insert Customer No. or Attach bar code label here)

NAME	STERNE, KESSLER, GOLDSTEIN & FOX PTN TRADEMARK OFFICE Attorneys at Law				
ADDRESS	1100 New York Avenue, N.W., Suite 600				
CITY	Washington	STATE	DC	ZIP CODE	20005-3934
COUNTRY		TELEPHONE	202-371-2600	FAX	202-371-2540

NAME (Print/Type)	Michele A. Cimbala	Registration No. (Attorney/Agent)	33,851
SIGNATURE			

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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079-2-utilitytransmform-divappi.011102

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	To be assigned
Filing Date	Herewith (January 14, 2002)
First Named Inventor	Anthony J. Sinskey
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	1533.0790002/MAC/AGU

TOTAL AMOUNT OF PAYMENT (\$740.00)

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number	19-0036
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.

- Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- Applicant claims small entity status See 37 CFR 1.27

2. Payment Enclosed:

- Check Credit card Money Order Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) :					
Other fee (specify) :					

SUBTOTAL (2) (\$ 0.00)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Michele A. Cimbala	Registration No. (Attorney/Agent)	33,851	Telephone	202-371-2600
Signature	<i>Michele A. Cimbala</i>			Date	Jan 14, 2002

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